

Remarks

With respect to the claims, Applicants have amended claim 1 to include all six CDRs in their designated positions to address the Examiners written description and enablement rejections under §112 para 1. In addition, Applicants have added the amino acid sequences of the SEQ ID Nos. into the claim as represented in Table 1 of the Specification. Further, Applicants have struck out the term “human” in claim 1. Basis for the amendments can be found throughout the specification, and especially in the Summary on page 3. Applicants have also cancelled presently pending claims 2, 4, 6 and 9-13.

Specification:

Please delete the disclosure of the Abstract in its entirety and add the following paragraph in its place. Support for this paragraph can be found on page 1, lines 1-3 of the published application.

The present invention is directed to monoclonal antibodies that are specific the epidermal growth factor receptor (EGFR). These antibodies can be used in treating neoplastic diseases and hyperproliferative disorders, among others.

REJECTION UNDER 35 U.S.C. § 112 para. 1

The Examiner has rejected Claims 1-7 and 9-13 under 35 U.S.C 112, first paragraph as failing to comply with the written description requirement for any antibody that does not contain the SEQ ID NOs 2, 4 and 6 comprised within SEQ ID NO 8 and SEQ ID NOs 10, 12 and 14 comprised within SEQ ID NO 16 (i.e. IMC-11F8 antibody).

The claims have been amended to require all six CDRs in their designated positions for full antibodies and fragments thereof.

The Examiner also rejected the claims under the enablement requirement of 35 U.S.C 112, first paragraph. As the claims are now limited to antibodies or fragments thereof that include all six CDRs in their designated positions, it is believed that the amendments now resolve the Examiner’s concerns.

Information Disclosure Statements

Applicants submitted Information Disclosure Statements on Feb 9, 2009, received by the Patent Office on Feb 10, 2009. It appears that the Examiner signed off on some of them on March 26, 2009, but not all of them. Applicants respectfully ask the Examiner to review the file and sign off on the missed references if appropriate. Applicants can provide the Examiner with a list of missed references if needed.

SUMMARY AND CONCLUSION

It is submitted that the amendment should be entered and that the claims are of proper form and scope for allowance. A favorable action on the merits is respectfully requested.

Should the Examiner wish to discuss the foregoing in an effort to advance this application towards allowance, the Examiner is urged to telephone the undersigned at the indicated number.

Respectfully submitted,

/Gregory A. Cox /
Gregory A. Cox
Attorney for Applicants
Registration No. 47,504
Phone: 317-277-2620

Eli Lilly and Company
Patent Division/GAC
P.O. Box 6288
Indianapolis, Indiana 46206-6288

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